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4 Attorney for Defendant
5 ROSEMONT, INC.

6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8
9 UNITED STATES OF AMERICA,

No. CR 07-00126 DLJ

10 Plaintiff,

11 v.

12 HASSAN SWAID, et al.,

**STIPULATION AND [PROPOSED]
ORDER RE: SEVERANCE AND
WAIVER OF JURY TRIAL OF
DEFENDANT ROSEMONT, INC.**

13 Defendant. /

14 IT IS HEREBY STIPULATED AND AGREED by and between
15 defendant Rosemont, Inc., and the United States, that:

16 1. Pursuant to Federal Rule of Criminal Procedure 23(a),
17 defendant Rosemont, Inc. waives its right to a jury trial, such
18 waiver being conditioned on the further terms set forth herein;

19 2. Defendant Rosemont, Inc. shall be severed from the trial
20 of defendant Hassan Swaid, Rosemont's President;

21 3. Any trial of defendant Rosemont, Inc. will be commenced
22 only after the conclusion of the trial of defendant Swaid; and

23 4. The evidence admitted in the trial of defendant Swaid
24 shall be evidence in the subsequent trial of Rosemont, Inc. by
25 this Court, if such trial of the corporation occurs. All
26 objections raised at the trial of the individual defendants shall
27 be preserved for the record at the trial of Rosemont, Inc. and
28 both Rosemont, Inc. and the plaintiff reserve the right to

1 interpose additional objections to that prior evidence at the
2 subsequent trial of the corporation. Both the government and
3 Rosemont, Inc. agree that they can introduce additional evidence
4 during this bench trial.

5 SO STIPULATED:

6 Dated: January 9, 2009

/S/ Suzanne A/ Luban
SUZANNE A. LUBAN
Attorney for Defendant
ROSEMONT, INC.

9 Dated: January 9, 2009

/S/ Hassan Swaid¹
ROSEMONT, INC. by Hassan Swaid
President

11 Dated: January 9, 2009

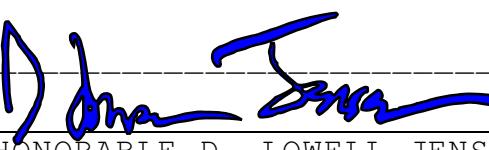
/S/ Keslie Stewart
KESLIE STEWART
Assistant United States Attorney
Counsel for Plaintiff

14 Dated: January 9, 2009

/S/ Maureen Bessette
MAUREEN BESETTE
Assistant United States Attorney
Counsel for Plaintiff

19 IT IS SO ORDERED.

21 January 14, 2009
22 Dated: _____


HONORABLE D. LOWELL JENSEN
United States District Judge

26 I hereby attest that I have on file all holograph signatures
27 for any signatures indicated by a "conformed" signature (/S/)
within this efiled document.

/S/ Suzanne A. Luban
SUZANNE A. LUBAN
Counsel for Rosemont, Inc.